

REMARKS

Claims 1 – 4, 6, 8 – 16, 18 and 20 – 28 are pending in the present application. Claims 5, 7, 17, 19 and 29 are canceled by the present amendment.

In the Office Action, claims 1 – 29 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,886,038 to Tabbara et al. (hereinafter "the Tabbara et al. patent"). The application contains three independent claims, namely claims 1, 13 and 25. Applicant is amending claims 1, 13 and 25 to include relevant recitals that were previously presented in other claims, and that are neither disclosed nor inherently present in the Tabbara et al. patent.

Claim 1 provides a method for providing a switch user functionality in a server-agent environment. The method includes, *inter alia*, generating a switch user (SU) certificate, signing the SU certificate with a signature using a private key, sending the SU certificate to the agent, and authenticating the signature with a public key.

The Tabbara et al. patent discloses a system that includes a cluster operations management console 240 (col. 8, lines 56 – 57, FIG. 3), an operations management console 242 (col. 7, lines 10 – 11), and a node 248 that includes a BMonitor 250 (col.10, lines 43 – 44). BMonitor 250 makes use of public key cryptography to provide secure communications between node 248 and cluster operations management console 240 or operations management console 242 (col. 13, lines 63 – 65). Nodes are designated as either landlords or tenants (col. 6, line 59 – col. 7, line 6). During communication from a landlord or a tenant to BMonitor 250, the landlord or tenant encrypts information using a public key, and BMonitor 250 decrypts the information using a private key (col. 14, lines 25 – 32).

For example, for communication from a tenant to BMonitor 250:

the tenant encrypts the communication using a public key, and

BMonitor 250 decrypts the communication using a private key (col. 14, lines 35 – 38), and

Similarly, for communication from BMonitor 250 to the tenant:

BMonitor 250 encrypts the communication using a public key, and the tenant decrypts the communication using a private key (col. 14, lines 57 – 60).

The Tabbara et al. patent discloses a technique in which a communication is encrypted using a public key, and decrypted using a private key. However, the Tabbara et al. patent does not disclose **signing** an SU certificate with a signature using a **private key**, and **authenticating** the signature with a **public key**, as recited in claim 1. Hence, the Tabbara et al. patent does not anticipate claim 1.

Claims 13 and 25 include recitals similar to those of claim 1, as discussed above. Therefore, for reasoning similar to that provided in support of claim 1, claims 13 and 25 are also novel over the Tabbara et al. patent.

Claims 2 – 4, 6 and 8 – 12 depend from claim 1. Claims 14 – 16, 18 and 20 – 24 depend from claim 13. Claims 26 – 28 depend from claim 25. By virtue of these dependencies, claims 2 – 4, 6, 8 – 12, 14 – 16, 18, 20 – 24 and 26 – 28 are also novel over the Tabbara et al. patent.

Claims 5, 7, 17, 19 and 29 are canceled. Thus, the rejection of claims 5, 7, 17, 19 and 29 is rendered moot.

Applicant respectfully requests reconsideration and withdrawal of the section 102(e) rejection of claims 1 – 29.

As mentioned above, Applicant is amending claims 1, 13 and 25 to include relevant recitals that were previously presented in other claims. Additionally, Applicant is amending several of the claims for one or more of (a) ensuring an antecedent basis for terms, (b) improving form, (c) providing consistency with an amendment to an independent claim, or (d) deleting recitals that do not appear to be necessary for patentability. None of the amendments is intended to narrow the scope of any term of any claim. Therefore, the doctrine of equivalents should be available for all of the terms of all of the claims.

In view of the foregoing, Applicant respectfully submits that all claims presented in this application patentably distinguish over the prior art. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Respectfully submitted,

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